

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 1:45 P.M. Present: Honorable Rebecca A. Wiseman, Acting Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; Honorable Brad Hill, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Shandra Santana, Deputy Clerk.

**F051004      Rother v. Lange**

Cause called and argued by Edward J. Whirk, Jr., Esq., counsel for appellant Carl B.A. Lange and by Marjorie C. Fuller, Esq., counsel for respondent Cathy L. Rother .

Cause ordered submitted.

**F052680      People v. Mendoza**

Cause called and argued by Rebecca Jones, Esq., counsel for appellant Cornelio Mendoza. Christina Hitomi, Deputy Attorney General, counsel for respondent The People waived oral argument.

Cause ordered submitted.

Court recessed until Tuesday, March 18, 2008 at 10:00 A.M.

**F051614      People v. Ruiz**

The judgment is affirmed and remanded with directions. Ardaiz, P.J.

We concur: Levy, J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F051924      People v. Lamon**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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**F051853      People v. Perry**

The judgment is affirmed. Wiseman, Acting P.J.

We concur: Cornell, J.; Hill, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F051733      A. G. Kawamura v. Organic Pastures Dairy Company LLC**

The judgment is affirmed. Respondent shall recover its costs on appeal. Wiseman, Acting P.J.

We concur: Dawson, J.; Hill, J.

[CERTIFIED FOR PUBLICATION]

**F052443      Birchfield et al. v. Sweatt**

The judgment is affirmed. Defendant shall recover his costs on appeal. Wiseman, J.

We concur: Harris, Acting P.J.; Kane, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F051746      People v. Hernandez**

The second degree murder conviction and the true findings on the section 12022.5, subdivision (a) and section 12022.53, subdivision (d) enhancements are reversed. The conviction for violation section 12020, subdivision (a)(1) is affirmed. The matter is remanded to the trial court further proceedings. Cornell, J.

We concur: Wiseman, Acting P.J.; Hill, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F050952      Valley Advocates et al. v. City of Fresno et al., Perez, Williams & Medina**

Filed modification of opinion (no change in judgment). Dawson, J.

We concur: Gomes, Acting P.J.; Kane, J.

[CERTIFIED FOR PUBLICATION]

**F050952      Valley Advocates et al. v. City of Fresno et al., Perez, Williams & Medina**

Appellant's petition for rehearing filed herein is denied.